UNITED STATES DISTRICT COURT

FILED

OCT 10 2012

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

Eastern DISTRICT OF California

In the Matter of the Search of
(Name, address or brief description of person, property or premises to be searched)

9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020); including any/all buildings, temporary structures discovered on this property that may contain items set forth in Attachmement B; All vehicles over which any owner, occupant, or resident of the premises has dominion and control, as determined by agent's observation.

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

Case Number: 2:12-SW-0645 KJN

I, Brian Nehring being duly sworn depose and say:

I am a(n) Drug Enforcement Administration Special Agent and have reason to believe
Official Title

that ☐ on the person of or ☑ on the property or premises known as (name, description and/or location)

Please see ATTACHMENT A,

in the Eastern District of California

there is now concealed a certain person or property, namely (describe the person or property to be seized)

Please See ATTACHMENT B,

which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

evidence of a crime, contraband, fruits of a crime, and other items illegally possessed, property designed for use, intended for use, or used in committing a crime, specifically, manufacture of marijuana and conspiracy to manufacture marijuana, a Schedule I Controlled Substance,

concerning a violation of Title 21 United States code, Section(s) 846 and 841(a)(1).

The facts to support a finding of probable cause are as follows:

PLEASE SEE ATTACHED AFFIDAVIT,

Continued on the attached sheet and made a part hereof: ☑ Yes ☐ No

Signature of Affiant

Sworn to before me and subscribed in my presence,

9/19/2012 at Sacramento California
Date City State

Kendall J. Newman Magistrate Judge
Name of Judige Title of Judge

Signature of Judge

Affidavit of DEA Special Agent Brian Nehring In Support of a Search Warrant

I, Brian Nehring, being duly sworn state the following:

Background and Expertise

1. I am a Special Agent of the Drug Enforcement Administration (DEA), San Francisco Field Division, and have been so employed since 1991. I have had numerous assignments since beginning with DEA, including being assigned to the Clandestine Laboratory Enforcement Team from 1997 to 1999, the Oakland Resident Office between 1999 and 2002, and the Mobile Enforcement Team (MET) between 2002 and 2004. I have been assigned to the Sacramento Division Office since September of 2004.

2. I have received specialized training in narcotic investigation matters including, but not limited to, drug interdiction, drug detection, money laundering techniques and schemes, drug identification, and asset identification and removal, from the Drug Enforcement Administration (DEA). In addition, I graduated from the DEA Basic Agents Academy at the FBI Academy at Quantico, Virginia. In total, I have received in excess of 500 hours of comprehensive formalized classroom instruction in those areas outlined above.

3. I have assisted in the execution of more than four hundred (400) warrants to search particular places or premises for controlled substances and/or related paraphernalia, indicia and other evidence of violations of federal drug narcotics statutes. As a result, I have encountered and become familiar with various tools, methods, trends, and paraphernalia and related articles utilized by traffickers in their efforts to import, conceal, manufacture and distribute controlled substances. Central to all trafficking efforts, regardless of the drug, is the traffickers' effort to make a profit from those dealings or transactions, either for the purchase of additional substances or material gain. I have been actively involved as case agent in excess of two hundred (200) investigations and have talked with confidential informants involved in the trafficking of narcotics, and this has formed the basis of my opinions.

4. I have been qualified as and have testified as an expert witness in both federal and state court in the Northern and Eastern Districts of California and in counties including Alameda, Contra Costa, Solano and others. These areas of qualification have included possession for sale, possession with intent to distribute, manufacturing of a controlled substance and cultivation.

Scope of Requested Search Warrant

5. This Affidavit is submitted in support of a search warrant to search the following properties, as detailed in Attachment A:

   A. **9305 Sweetwater Trail, Oregon House, California (Yuba APN#048-240-058);** a property owned by Andreas JEWERS;
   B. **9156 Nadowa Trail, Oregon House, California (Yuba APN#048-050-012);** a property owned by Juan Jose DOMINGO;
   C. **13691 Concord Trail, Oregon House, California (Yuba County APN#048-090-031);** a property owned by Elizabeth STEFANI;
   D. **9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020);** a property owned by John GALLAGHER;
   E. **8146 Sunnyside Lane, Oregon House, California (Yuba County APN#044-130-017**); a property owned by Tristan WINKS;
   F. **13233 Dixon Hill Road, Dobbins, California (Yuba County APN#048-170-041);** a property owned by Ronald V. CARROLL and Susan A. CARROLL; and
   G. **No Address, Yuba County APN#048-170-068**; a property owned by the Fellowship of Friends Inc.

   As explained further below, during 2012, I received information that over the last several years that Andreas JEWERS had organized a group of individuals, who lived in Oregon House, California, into a marijuana cultivation and distribution group. The individuals involved in the marijuana trafficking are members of an organization called The Fellowship of Friends. The individuals working with JEWERS are involved in growing marijuana on the respective properties in Yuba County. JEWERS, in turn, is distributing large amounts of marijuana on their behalf to customers outside of California. I identified the properties owned by these individuals and during aerial and ground surveillance during August and September of 2012 verified that there were currently ongoing outdoor marijuana gardens clearly visible on all of these properties. Therefore, I am requesting search warrants be authorized for these properties in order to locate the items listed in **Attachment B** which I believe are evidence of the Manufacture and Distribution of Marijuana, and Conspiracy, in violation of 21 U.S.C. §§ 846 and 841(a)(1).

Background of Investigation

6. In 2012, I spoke with a Confidential Source ("CS") regarding the Andreas JEWERS marijuana trafficking organization. The CS has no prior criminal record, has no pending criminal cases, and was not providing information in hopes of receiving consideration in any pending case and did not request any financial reward or compensation. The CS's descriptions of marijuana cultivation and trafficking are consistent with my training and experience in this area. I am not aware of the CS providing false or misleading information. In addition, I have been able to verify the CS's information through multiple database records and checks, as well as my own

investigation and observations. For these reasons, I believe the CS's information is reliable. The CS provided the following information.

Background on Fellowship of Friends

7. The CS said Andreas JEWERS was a German National who had moved to Oregon House several years ago to become an active member of an organization known as The Fellowship of Friends. This group is a self-described sect of Mystical "Fourth-Way" Christianity based upon the teachings of G.I. Gurdjieff, and which was founded by an individual named Robert BURTON in the 1970's. The Fellowship of Friends established a main center in Oregon House which is now also operated as a winery (Renaissance Winery) and olive oil business. According to the CS, the Fellowship of Friends has established numerous satellite centers overseas which recruit foreign members, many of whom subsequently move to Oregon House to be near the main center, known as Apollo. According to the CS, there are numerous foreign-national members of the Fellowship of Friends, like JEWERS, living in the area to be near BURTON and to participate in the organization and the operation of the affiliated businesses. The CS said members of this group follow BURTON as a "Guru" and are required to pay either of tenth of their income or $400 per month to the Fellowship of Friends. Followers are required to pay additional amounts in order to spend time with BURTON. I subsequently performed many database and Internet searches. This research confirmed much of what the CS related regarding the Fellowship of Friends. I learned that this group was labeled as a "cult" by many former members and cult-watch websites.

8. The CS related that participating in the Fellowship of Friends entailed a large financial obligation with the monthly fees, tutoring fees, fees in order to attend functions and meet with BURTON, special request fees for special projects such as the recent addition of an outdoor amphitheater, and all these fees imposed a financial burden on people who had limited resources in an area that didn't have many available jobs. The CS said it had become common knowledge in the community during recent years that several active members of the Fellowship of Friends were supporting themselves and financing their obligations and discretionary payments to the Fellowship of Friends through the cultivation of marijuana on properties surrounding the Fellowship of Friends compound in Oregon House.

9. The CS related that people within the Fellowship of Friends, including the leaders of the organization, knew how these people were obtaining the money they were providing to the Fellowship of Friends but that nobody seemed to care. The CS related that when the Fellowship of Friends compound was originally purchased and before it was utilized as a vineyard, certain founding members had utilized this property at the end of Rices Crossing Road as a location to grow large amounts of marijuana. The CS stated that one of the primary Fellowship of Friends members involved in growing marijuana on the Fellowship of Friends property was Grant RAMEY and that years ago he had grown marijuana in the hills along the north end of the Fellowship of Friends property. The CS stated that RAMEY was allegedly

currently operating his own wine business and was living in a house along the north end of the property along Rices Crossing Road.

Information about JEWERS and his Criminal Activities

10. The CS stated that JEWERS owned the property at **9305 Sweetwater Trail, Oregon House, California**. JEWERS previously made a living as a back-hoe operator. In recent years, JEWERS began cultivating marijuana on this property in both a large outdoor garden and inside a trailer. The CS stated that JEWERS claimed to be distributing this marijuana out of state to various customers utilizing drivers and commercial shipping companies. The CS said JEWERS routinely had large amounts of U.S. currency, over $100,000, from the sales of marijuana inside his residence on the property. The CS also said JEWERS was regularly armed with a firearm (a pistol) which he took with him most places. According to the CS, during 2012, he/she observed a large marijuana outdoor marijuana garden at JEWERS's property on Sweetwater Trail. The CS also related that, in 2012, JEWERS claimed he spent $50,000 to build a very large new two-story barn along the front of the property. JEWERS indicated the purpose of the barn was to block the view from the main road onto the property and to prevent people from seeing the marijuana garden. According to the CS, JEWERS and his co-conspirators were routinely traveling to Mexico and Hawaii for vacations when it was not marijuana season.

11. I verified through property records that **9305 Sweetwater Trail, Oregon House, California (Yuba APN#048-240-058)**, was an approximately 15-acre property owned by Andreas and Nancy JEWERS. I also verified through inquiries with the California Department of Motor Vehicles (DMV) that JEWERS had provided this same address as a residential address to the DMV. I made inquiries with Yuba County and learned that, in early 2012, JEWERS had applied for a license to erect a barn structure at 9305 Sweetwater Trail in Oregon House. In connection with that license, JEWERS indicated the construction cost was over $40,000. I then examined Google Earth Satellite photograph of 9305 Sweetwater Trail in Oregon House. The photograph indicated it was taken in 2011. In examining the photograph, I observed that there appeared to have been a large outdoor marijuana garden on the property during the satellite photograph in 2011.

12. In June of 2012, I traveled to 9305 Sweetwater Trail in Oregon House and, from the road, I observed a new large barn-like structure directly in front of the main gate leading onto the property, blocking the direct view into the property from the road. As I traveled south on Sweetwater Trail, I was still able to observe and photograph marijuana plants in a clearing area on the opposite side (west side) of the barn.

13. During August and September of 2012, I arranged for the DEA Airwing, the California Highway Patrol, and the Yuba County Sheriff's Department to all conduct aerial surveillance of 9305 Sweetwater Trail, Oregon House, and to video and photograph the property at various times, up through September 8, 2012. I examined

the video and the photographs from this aerial surveillance and observed there were ongoing outdoor marijuana gardens in clearings along the south side of the property. The gardens appeared very similar to those revealed by satellite imagery from 2011.

Other Conspirators Involved in Marijuana Trafficking with JEWERS

14. The CS provided additional information that JEWERS was close friends with several other members of the Fellowship of Friends, including Juan Jose DOMINGO, John GALLAGHER, Tristan WINKS, and Elizabeth STEFANI. The CS related that these people grew marijuana on their own properties in and around Oregon House and provided this marijuana to JEWERS. According to the CS, JEWES had the customers out of state to sell the marijuana. The CS said this had been going on for years. The CS identified several other members of the Fellowship of Friends who were involved in JEWERS organization as transporters, distributors, and facilitators,. The CS said, however, that aside from one other person outside of Yuba County, DOMINGO, STEFANI, WINKS and GALLAGHER were the people that the CS knew were growing marijuana on their own properties. I subsequently displayed DMV driver's license photographs of JEWERS, DOMINGO, STEFANI, GALLAGHER and WINKS to the CS amongst other DMV driver's license photographs without identifying the persons pictured. The CS correctly identified all of the individuals involved in this investigation.

15. According to the CS, DOMINGO was originally from Spain and had come to Oregon House to participate in the Fellowship of Friends. DOMINGO and his common-law wife, Elizabeth "Eve" STEFANI, operated an organic farm on Nadowa Trail in Oregon House. The CS stated that there was allegedly a large marijuana grow and greenhouses on the backside of the property behind the orchards and fields in front and that every year DOMINGO and JEWERS organized a work crew to help harvest and manicure this marijuana. The CS stated that DOMINGO and STEFANI sold their produce at farmers markets and to restaurants, and that STEFANI allegedly owned a separate property in Oregon House where they also grew produce.

16. I verified through property records that **9156 Nadowa Trail, Oregon House, California (Yuba APN#048-050-012)** was an approximately 10-acre property owned by Juan Jose DOMINGO. Business records revealed that DOMINGO and Elizabeth STEFANI were listed as operators of FILAKI FARMS, LLC, with a business address of 9156 Nadow Trail, Oregon House. I conducted internet searches relating to FILAKI FARMS and observed photographs of individuals I recognized from DMV photos as DOMINGO and STEFANI growing and selling produce and representing themselves as FILAKI FARMS. I also verified through inquiries with the DMV that DOMINGO had provided 9156 Nadowa Trail, Oregon House, as a residential address to the DMV. I then examined Google Earth Satellite photograph of 9156 Nadowa in Oregon House. The satellite photograph was marked as having been taken in 2011. I observed there appeared to have been a large outdoor marijuana garden on the property at that time. This marijuana garden was located behind the tree line on the

east side of the property, whereas the orchard and fields were located along the front of the property, and there appeared to be at least one long, domed greenhouse. This is approximately the same area described by the CS..

17. I also verified through property records that **13691 Concord Trail, Oregon House, California (Yuba County APN#048-090-031)** was an approximately 5-acre property owned by Elizabeth STEFANI. I then examined Google Earth Satellite photograph of 13961 Concord Trail in Oregon House. The satellite photograph is dated as having been taken in 2011. I observed that there appeared to have been a large outdoor marijuana garden on the property at that time in a fenced-in area along the north side of the property behind the one apparent house at the front of the property.

18. During August and September of 2012, I arranged for the DEA Airwing, the CHP, and the Yuba County Sheriff's Department to all conduct aerial surveillance of 9156 Nadowa Trail in Oregon House and 13691 Concord Trail in Oregon House. I asked them to video and photograph the properties during various times, up through September 8, 2012. I then examined the video and the photographs from this aerial surveillance and observed that there were ongoing outdoor marijuana gardens on both properties. I noted the marijuana gardens were very similar to the earlier marijuana gardens captured by satellite imagery during 2011.

19. The CS related that John GALLAGHER was originally from Ireland and had come to Oregon House to participate in the Fellowship of Friends. GALLAGHER subsequently became friends with JEWERS. The CS related that GALLAGHER lived at a property on Yuba Ranch Way in Oregon House and supposedly had several employees whom he utilized to assist in growing marijuana in the tree line along the south side of the property. GALLAGHER allegedly had some of his own marijuana customers, but gave the bulk of the marijuana he harvested to JEWERS in order to be sold out of state.

20. I verified through property records that **9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020)** was an approximately 15-acre property owned by John GALLAGHER. I also verified through inquiries with the DMV that, in the past, both JEWERS and GALLAGHER had provided this same address (P.O. Box 500, Oregon House, California) to the DMV. I then examined Google Earth Satellite photograph of 9500 Yuba Ranch Way in Oregon House. The satellite photograph was dated as having been taken in 2011. I observed there appeared to have been a large outdoor marijuana garden on the property at the time of the 2011 satellite photograph. I noted this photo showed a large clearing in the tree line along the south side of the property in the same general area described by the CS.

21. During August and September of 2012, I arranged for the DEA Airwing, the CHP, and the Yuba County Sheriff's Department to all conduct aerial surveillance of 9500 Yuba Ranch Way in Oregon House, and to video and photograph the property at various times, up through September 8, 2012. I examined the video and the photographs from this aerial surveillance and observed that there were ongoing outdoor marijuana gardens in clearings along the south side of the property. The location and appearance of the marijuana gardens were very similar to the gardens observed in the 2011 satellite imagery.

22. I also spoke to Yuba County Sheriff's Deputy Mark Heath. Deputy Heath patrols the Oregon House area and conducts the marijuana enforcement program in that area. Deputy Heath related to me that he had recently spoken to a citizen informant. According to Deputy Heath's citizen informant, GALLAGHER was currently utilizing the barn on this property as a location for manufacturing hashish and "honey oil." Honey oil is a product created with THC extracted from marijuana and suspended in Butane. The citizen informant told Deputy Heath that GALLAGHER was the largest purveyor of these products in the area.

23. The CS said Tristan WINKS was a younger member of the JEWERS organization. WINKS grew up as the child of Fellowship of Friends members and resided in the area. The CS said WINKS owned his own property somewhere in Oregon House and claimed to be growing large amounts of marijuana over the last few years. WINKS and JEWERS had both mentioned in the past that they were working together in the cultivation and distribution of marijuana and that they were partners in sending marijuana. The CS identified the JEWERS-WINKS distribution of marijuana as specifically being focused on New Mexico. The CS related that JEWERS and WINKS had recently supposedly had a falling out over a large amount of money and a shared girlfriend, but, the CS believed they would probably still be working together in the harvest and distribution of marijuana.

24. I verified through property records that **8146 Sunnyside Lane, Oregon House, California (Yuba County APN#044-130-017**) was an approximately 5-acre property owned by Tristan WINKS and that there were no residential structure on this property. I also verified through inquiries with the DMV and other databases that, despite owning this property, WINKS consistently provided resident addresses primarily in Nevada County and previously in Oregon House, though not in close proximity to 8146 Sunnyside Lane. I then examined Google Earth Satellite photograph of 8146 Sunnyside Lane in Oregon House. The satellite photograph were dated as having been taken in 2011. In the photograph, I observed that there appeared to have been a large outdoor marijuana garden on the property. I noted that this photo showed a large clearing in the tree line along the south side of the property.

25. During August and September of 2012, I arranged for the DEA Airwing, the CHP, and the Yuba County Sheriff's Department to all conduct aerial surveillance of 8146 Sunnyside Lane, Oregon House, California, and to video and photograph the property at various times, up through September 8, 2012. I examined the video and the photographs from this aerial surveillance and observed that there were ongoing outdoor marijuana gardens in clearings along the south side of the property. The location of the current marijuana gardens is very similar to the gardens captured in by satellite imagery in 2011.

26. During August and September of 2012, I arranged for the DEA Airwing, the CHP, and the Yuba County Sheriff's Department to all conduct aerial surveillance of 8146 Sunnyside Lane in Oregon House, and to video and photograph the property at various times, up through Septembr 8, 2012. I examined the video and the photographs from this aerial surveillance and observed there were ongoing outdoor marijuana gardens in clearings along the south side of the property. The current gardens are very similar to the gardens captured by satellite imagery in 2011.

27. I learned through multiple database inquiries, property records and inquiries with Parcel Quest (a commercial database which provides assessors maps, satellite boundary lines for parcels and accompanying property records) that the Fellowship of Friends (Fellowship of Friends) property which encompassed a large vineyard area, olive groves, and multi-use buildings along the east side of the 12000 block of Rices Crossing Road south of Oregon House was actually numerous (over ten) contiguous parcels, all of various sizes, encompassing a block of land running from the main entrance north and east up the slopes of the vineyard hillside into subsequently wooded areas above the vineyard. I also observed that there were several ponds, fire roads and trails running throughout these parcels which, altogether, appeared to be over 1700 acres of land. I examined the Google Earth Satellite photographs from 2011 which documented the Fellowship of Friends properties and parcels described above. While I was examining these photographs, I observed numerous obvious outdoor marijuana gardens on properties bordering the large 238-acre Fellowship of Friends owned parcel (**Yuba County APN#048-170-068**) along the north side of the vineyard area which was primarily wooded and pasture land with an access road running from the vineyard past a holding pond up to where Dixon Hill Road and Candlewood Road meet.

28. While examining the 2011 satellite photographs of **Yuba County APN#048-170-068**, I observed a large outdoor marijuana garden which appeared to be located just north of the holding pond on this parcel and west of the access road running through this area. I observed that the plants in the area appeared in close proximity to an apparent residential structure which was accessed from a driveway I verified through ground surveillance was accessed by a gate at **13233 Dixon Hill Road, Dobbins, California (Yuba County APN#048-170-041),** a 5-acre property, and that this access road ran south through that property and later bent to the east in the direction of the house, and that the marijuana garden was just east and south of this structure. However, utilizing Parcel Quest satellite photographs and assessors maps, it appeared that the marijuana

garden was located on Yuba County APN#048-170-068, which bordered the 13233 Dixon Hill Road property. I noted that the CS had stated that Fellowship of Friends members had, in years past, grown marijuana on the Fellowship of Friends property in this same area, e.g. the wooded area on the hill north of the current vineyards.

29. On September 8, 2012, Yuba County Deputy Heath conducted aerial surveillance of **Yuba County APN#048-170-068** and **Yuba County APN#048-170-041 (13233 Dixon Hill Road, Dobbins, California)**. Deputy Heath observed outdoor marijuana gardens in this same area. I examined the photographs from this aerial surveillance and observed that there were ongoing outdoor marijuana gardens in clearings in basically the same areas as those documented the previous year by satellite imagery described above. I observed that it appeared that there were marijuana plants in close proximity to the residence structure as well as to the south and west, an area I know from the assessors maps to be the Fellowship of Friends parcel **Yuba County APN#048-170-068.**

30. I learned that **13233 Dixon Hill Road, Dobbins, California (Yuba County APN#048-170-041)** was listed as being owned by Ronald V. CARROLL and Susan A. CARROLL of 30384 Crowley Drive, Ocean View, DE. Property records revealed that these individuals apparently own numerous properties (over ten listings) in Delaware, Maryland, Hawaii, and California.

Training and Experience Regarding Drug Trafficking and Drug Traffickers

31. As a result of my experience and training, I have learned that traffickers who deal in various quantities of controlled substances, or those that assist in that venture, maintain and tend to retain accounts or records of those transactions. Such records detail amounts outstanding, owed, or expended, along with records tending to indicate the identity of co-conspirators. These records may be kept on paper or contained in memory calculators or computers. It is also my experience that these traffickers tend to keep these accounts and records in their residence and in the areas under their control. It is my training and experience, that in the case of drug dealers, evidence is likely to be found where the dealers live. United States v. Angulo-Lopez, 791 F.2d 1394, 1399 (9th Cir. 1986). It is also my training and experience that where criminal activity is long-term or ongoing, equipment and records of the crime will be kept for some period of time. United States v. Greany, 929 F.2d 523, 525 (9th Cir. 1991).

32. Based upon my experience and training, I have learned that drug traffickers often place their assets in names other than their own to avoid detection of those assets by law enforcement and the Internal Revenue Service (IRS); that those persons are commonly family members, friends, and associates who accept title of assets to avoid discovery and detection; that traffickers also often place assets in the ownership of corporate entities to avoid detection by law enforcement agencies and although these assets are in other individual(s) or corporate names, the traffickers continue to use these assets and exercise dominion and control over them. Typically traffickers keep records of those registrations and transactions in their residence.

33. I have learned that large-scale drug traffickers often have on hand large amounts of United States currency in order to maintain and finance their ongoing business. It has been my experience that drug traffickers often keep large sums of currency, caches of drugs, financial instruments, precious metals, jewelry, automobiles and other items of value and/or proceeds of drug transactions, including evidence of financial transactions related to obtaining, transferring, secreting or spending large sums of money acquired from engaging in the acquisition and distribution of controlled substances in their residence or in the areas under their control.

34. In my experience, traffickers commonly have in their possession, that is, on their person, at their residence and in the areas under their control, firearms, including but not limited to handguns, pistols, revolvers, rifles, shotguns, machine guns and other weapons. Such firearms are used to protect and secure a traffickers property. Such property may include, but is not limited to, narcotics and other dangerous drugs, jewelry, narcotic paraphernalia, books, records, ledgers and quantities of currency.

35. In my experience, traffickers commonly have in their possession, that is on their person, at their residences, and their vehicles, and in the areas under their control and which they have free and ready access to, narcotics, including but not limited to marijuana, which they intend to distribute. It is my experience that these drug traffickers commonly utilize these areas (vehicles, residences, properties, etc.) as locations to conceal their narcotics from law enforcement.

36. In my experience, drug traffickers may take or cause to be taken, photographs or videotapes of themselves, their associates, their property, and their product. Such traffickers often maintain photographs and/or videotapes at their residence or in the areas under their control.

37. In my experience, large scale traffickers often maintain in their possession and at their residence fictitious identification, including but not limited to, driver's licenses, employment cards, insurance cards, social security cards, certificates of birth and passports which are obtained by the traffickers and utilized in an effort to prevent law enforcement identification of the traffickers and their drug trafficking activities.

38. In my experience, drug traffickers often utilize vehicles in which to transport and distribute controlled substances in facilitation of their trafficking activities. It has also been my experience that traffickers will also utilize vehicles as locations in which to store controlled substances prior to distribution. During prior investigations, I have observed that drug traffickers will often utilize vehicles registered in the names of individuals other then themselves in an effort to avoid detection by law enforcement.

39. In addition, these traffickers tend to attempt to legitimize their assets by establishing domestic and foreign businesses, by creating shell corporations, by utilizing bank haven countries and attorneys specializing in drafting and establishing such entities

employed to "launder" the proceeds derived from the distribution of controlled substances.

40. In establishing these entities, the traffickers often must travel to meetings in foreign countries as well as domestically. As a result of that travel, records are generated reflecting travel by commercial and private aircraft, Commercial Ocean and private vessels as well as common carrier(s).

41. Individuals involved in the distribution of marijuana often make, or cause to be made, pictures, videos, movies, compact discs, floppy discs, or other such items which are or contain photographic or digital images in order to memorialize their marijuana distribution, use, possession, or any other activities surrounding their marijuana trafficking activities, and that such items often identify co-conspirators in their marijuana trafficking activities.

42. It has been my experience in the past that when suspects utilize mobile telephones to communicate with cooperating individuals or undercover agents to set up the marijuana deals, records relating to these activities will be found stored in the cellular telephone.

43. Further, as part of my training and experience, which has included participating in numerous investigations of clandestine marijuana cultivators as well as the execution of over one hundred search warrants with regards to the cultivation of marijuana, I have found that in addition to the location of marijuana in all various forms, including growing plants, harvested plants or stalks, or drying, dried, or processed marijuana, marijuana seeds and/or marijuana plant clones, there is a large amount of equipment and tools associated with and used for the cultivation (both outdoor and indoor), use, storage, or processing of marijuana, such as:

    Irrigation devices, garden hoses, water buckets, five gallon buckets, ground timing devices, electronic watering devices, aerators, PVC pipe, water storage drums, water tanks, hose filter fittings, valves, water pumps, lights, timers, power packs, power cords, extension cords, generators, air conditioning units, fans, heat pumps, shovels, rakes, brush clearing equipment, handsaws, pruning shears, hand-held sprayers, in-line fertilizer/water tanks, herbicides, starter pots, planter pots, grow pots, alligator clips, baggies, rolling papers, cigarette packs, small medicine containers, glass and plastic vials, rolled up papers for holding seeds, sifters, scales and other weighing devices, drying screens, paper bags, pouches, backpacks, burlap bags, plastic storage containers; this equipment may include instructional books and/or magazines for growing marijuana, such as: High Times, Marijuana Growers Guides, Sinsemillia Tips, Marijuana Potency, Marijuana Botany, Marijuana, and other marijuana publications,.

44. I know that narcotics traffickers use mobile telephones to communicate with one another, either by voice or text message. Mobile telephones preserve in their memory

a history of incoming, outgoing, and missed calls, which can lead to evidence of the telephone numbers of other narcotics traffickers and the dates and times that they and/or the mobile telephone user dialed one another's telephones. Mobile telephones also contain in their memory a telephone book. This allows the user to store telephone numbers and other contact information; the information stored in a telephone used by a narcotics trafficker is evidence of the associations of the narcotics trafficker, some of which are related to his or her illegal business. Mobile telephones also contain in their memory text messages sent, received, and drafted by the mobile telephone user. The text message history of a narcotics trafficker's mobile telephone can contain evidence of narcotics trafficking because it shows the communications or planned communications of a narcotics trafficker and the telephone numbers of those with whom the narcotics trafficker communicated or intended to communicate. Mobile telephones also have a voicemail function that allows callers to leave messages when the telephone user does not answer. Narcotics traffickers sometimes leave voice messages for each other and this is evidence both of their mutual association and possibly their joint criminal activity. Mobile telephones can also contain other user-entered data files such as "to-do" lists, which can provide evidence of crime when used by a narcotics trafficker. Mobile telephones can also contain photographic data files, which can be evidence of criminal activity when the user was a narcotics trafficker who took pictures of evidence of crime. Mobile telephone companies also store the data described in this paragraph on their own servers and associate the data with particular users' mobile telephones.

45. The description of the parcels in **Attachment A** must take into account that each of the locations consists of rural and undeveloped land. Based upon law enforcement's limited access to the large parcel described in this Affidavit, agents may encounter subdivisions of the parcels that cannot be anticipated. In this case, DEA and assisting law enforcement agencies were only to observe the parcel by conducting aerial surveillance of the properties identified in **Attachment A**. Agents have had to limit their observations of the parcel to aerial and limited physical surveillance in order to avoid being detected by the person or persons currently cultivating marijuana for further distribution at this time. If agents encounter unexpected structures on any of the parcels in **Attachment A** during execution of this warrant, I respectfully request authority to search for contraband and seize any such contraband located in any buildings or temporary structures discovered on any of the parcels during execution of this search warrant. United States v. Alexander, 761 F.2d 1294, 1300-01 (9th Cir. 1985).

46. As described above and in **Attachment A**, this Affidavit seeks permission to search and seize things that are related to the ongoing marijuana cultivation and marijuana distribution operation, in whatever form such things are stored. Based on my knowledge, training, and experience, I know that electronic devices can store information for long periods of time. Even when a user deletes information from a device, it can sometimes be recovered with forensics tools. Similarly, things that have been viewed via the Internet are typically stored for some period of time on the device. This information can sometimes be recovered with forensics tools.

Conclusion

47. It is my opinion, based on my training and experience, and the training and experience of other law enforcement investigators to whom I have spoken, that the items listed in **Attachment B** are items most often associated with the manufacture and distribution of controlled substances, including marijuana, as well as the proceeds from such illegal operations.

48. The facts set forth in this Affidavit are known to me as a result of my personal participation in this investigation, through conversations with other agents and detectives who have participated in this investigation, and from reviewing official reports, documents, and other evidence obtained as a result of this investigation. This Affidavit is not an exhaustive enumeration of the facts that I have learned during the course of this investigation but, instead, are facts that I believe support a finding of probable cause to search the requested location.

49. Based on my experience and training, and after consulting with other law enforcement officers experienced in drug investigations, I know that individuals involved in drug dealing often maintain at their residences, vehicles, and their persons the items described in **Attachment B**. Individuals involved in drug dealing also often maintain paraphernalia for packaging, weighing, cutting, testing, distributing, and identifying controlled substances. Therefore, I am requesting authority to seize all the items listed in **Attachment B** to this Affidavit and incorporated here by reference.

50. In this case, the facts set forth in this Affidavit demonstrate probable cause to believe that the locations listed in **Attachment A** to this Affidavit contains evidence of a crime, contraband, fruits of a crime, and other items illegally possessed, property designed for use, intended for use, or used in committing a crime, specifically Andreas JEWERS and his co-conspirators and their ongoing collective effort to manufacture and distribute marijuana in violation of 21 U.S.C. §§ 846 and 841(a)(1).

51. Therefore, based upon this Affidavit, I respectfully request authority to search the locations set forth in Attachment A to this Affidavit, specifically:

    A. **9305 Sweetwater Trail, Oregon House, California (Yuba APN#048-240-058);** a property owned by Andreas JEWERS;
    B. **9156 Nadowa Trail, Oregon House, California (Yuba APN#048-050-012);** a property owned by Juan Jose DOMINGO;
    C. **13691 Concord Trail, Oregon House, California (Yuba County APN#048-090-031);** a property owned by Elizabeth STEFANI;
    D. **9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020);** a property owned by John GALLAGHER;
    E. **8146 Sunnyside Lane, Oregon House, California (Yuba County APN#044-130-017);** a property owned by Tristan WINKS;
    F. **13233 Dixon Hill Road, Dobbins, California (Yuba County APN#048-170-041);** a property owned by Ronald V. CARROLL and Susan A. CARROLL;

G. No Address, Yuba County APN#048-170-068; a property owned by the Fellowship of Friends Inc.; and

H. All vehicles over which any owner, occupant, or resident of the premises has dominion and control, as determined by agent's observation of such person operating or accessing vehicle; DMV records showing ownership or use of the vehicle; witness statements establishing ownership or use of the vehicle; or car keys to operate the vehicle found in the actual or constructive possession of such person.

52. I further request authority to seize the items listed in **Attachment B** to this Affidavit and incorporated here by reference.

I swear under penalty of perjury, that the foregoing information is true and correct to the best of my knowledge, information and belief.

Brian Nehring, Special Agent
Drug Enforcement Administration

Sworn to and subscribed before
me on the 19th day of September 2012

Honorable Kendall J. Newman
United States Magistrate Judge

Approved as to form:

Jason Hitt
Assistant U.S. Attorney

Attachment A:
Description of Locations to be Searched

1. **9305 Sweetwater Trail, Oregon House, California (Yuba APN#048-240-058);** an approximately 15-acre property owned by Andreas JEWERS located along the west side of Sweetwater Trail at the intersection of Amoruso Lane, accessed by a metal gate with a large tan building with a brown roll-up door immediately west of the gate, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

2. **9156 Nadowa Trail, Oregon House, California (Yuba APN#048-050-012);** an approximately 15-acre property owned by Juan Jose DOMINGO located at the east end terminus of Nadowa Trail, accessed by a metal gate with the numerals 9156 affixed on a wooden placard to the left, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

3. **13691 Concord Trail, Oregon House, California (Yuba County APN#048-090-031);** an approximately 5-acre property owned by Elizabeth STEFANI located at the north end terminus of Concord Trail, with a wooden placard with "13961 Concord Trail" to the left at the top of the driveway, with a low single-story residential structure at the west end of the property, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

4. **9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020)**; an approximately 15-acre property owned by John GALLAGHER located along the south side of Yuba Ranch Way, accessed by a gravel driveway running south, with a post to the left of the driveway displaying the numerals 9500, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

5. **8146 Sunnyside Lane, Oregon House, California (Yuba County APN#044-130-017**); an approximately 5-acre property owned by Tristan WINKS, located along the south side of Sunnyside Lane, accessed by a dirt road and a chain-gate, no residential structures, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

6. **13233 Dixon Hill Road, Dobbins, California (Yuba County APN#048-170-041);** an approximately 5-acre property owned by Ronald V. CARROLL and Susan A. CARROLL, located at the south terminus of Dixon Hill Road at Candlewood Lane, , accessed by a metal gate with the numerals 13233 affixed to the fence to the left, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

7. **Yuba County APN#048-170-068, no address**; an approximately 233-acre property owned by the Fellowship of Friends Inc., no structures, heavily wooded area with holding pond and fire road accessed by a metal gate on the south side of Candlewood Lane, including any and all buildings or temporary structures discovered on this property that may contain items set forth in Attachment B;

8. All vehicles over which any owner, occupant, or resident of the premises has dominion and control, as determined by agent's observation of such person operating or accessing vehicle; DMV records showing ownership or use of the vehicle; witness statements establishing ownership or use of the vehicle; or car keys to operate the vehicle found in the actual or constructive possession of such person.

Attachment B:
Description of Items to be Seized

Agents are authorized to search and seize property that constitutes evidence, fruits, and instrumentalities of violations of the following federal statutes (the "Target Offenses"), currently being committed by Andreas JEWERS and his co-conspirators engaged in criminal activities at the locations identified in Attachment A:

- Title 21 U.S.C. Section 841(a)(1) – Manufacture of Marijuana and Marijuana Plants; and

- Title 21 U.S.C. Section 846 – Conspiracy to Manufacture and Distribute Marijuana and Marijuana Plants.

As further described in the Affidavit, the specific evidence, fruits, and instrumentalities of the Target Offenses for which agents may search includes and is limited to the following items that are located and connected to the Target Offenses:

A. Marijuana in various forms, including growing plants, harvested plants or stalks, or drying, dried, or processed marijuana.

B. Marijuana seeds and/or marijuana plant clones. Any other controlled substances and/or contraband discovered during service of this warrant.

C. Equipment and tools associated with and used for the cultivation, use, storage, or processing of marijuana, including but not limited to:

1. Irrigation devices, garden hoses, water buckets, five gallon buckets, ground timing devices, electronic watering devices, aerators, PVC pipe, water storage drums, water tanks, hose filter fittings, valves, water pumps, lights, timers, power packs, power cords, extension cords, generators, air conditioning units, fans, heat pumps, shovels, rakes, brush clearing equipment, handsaws, pruning shears, hand-held sprayers, in-line fertilizer/water tanks, herbicides, starter pots, planter pots, grow pots, alligator clips, baggies, rolling papers, cigarette packs, small medicine containers, glass and plastic vials, rolled up papers for holding seeds, sifters, scales and other weighing devices, drying screens, paper bags, pouches, backpacks, burlap bags, plastic storage containers; and

2. Books and/or magazines for growing marijuana, such as: High Times, Marijuana Growers Guides, Sinsemillia Tips, Marijuana Potency, Marijuana Botany, Marijuana, and other publications used to facilitate the cultivation and distribution of marijuana.

D. United States and foreign currency derived from the sale of marijuana in violation of 21 U.S.C. §§ 846 and 841(a)(1).

E. Narcotics or money ledgers, narcotics distribution or customer lists, narcotics supplier lists, correspondence, notation logs, receipts, journals, books, pay and

owe sheets, records and other documents noting the price, quantity, date and/or times when narcotics were purchased, possessed, transferred, distributed, sold or concealed; computer disks, computer printouts, computer codes and computer programs in addition to computer hard disks, computer screens, CD/DVD disks, computer keyboards, directory disks which would reveal the receipt of proceeds from narcotic distribution and the transfer, investment, control, and disposition of those proceeds.

F. Bank account records, wire transfer records, bank statements and records, money drafts, letters of credit, safety deposit keys and records, money wrappers, money containers, income tax returns, and records of financial transfers which reflect the money generated from the sale of narcotics in violation of 21 U.S.C. §§ 846 and 841(a)(1).

G. Telephone paging devices, beepers, mobile phones, car phones, answering machines and tapes, and other communication devices which could be used to participate in a conspiracy to distribute controlled substances in violation of 21 U.S.C. §§ 846 and 841(a)(1).

H. Personal telephone and address books and listings, letters, cables, telegrams, telephone bills, photographs, audio and video tapes, personal notes and other items reflecting names, addresses, telephone numbers, communications, and illegal activities of associates in the trafficking of controlled substances.

I. Financial Instruments purchased with large amounts of currency derived from the sale of controlled substances, including travelers checks, bonds, stock certificates, money orders and cashier's checks, passbooks, bank checks, bank deposit tickets, certificates of deposit, and memoranda and other items evidencing the obtaining, secreting, transfer, concealment, and/or expenditure of money; money counting machines, money wrappers and bags.

J. Records, documents, and deeds reflecting the purchase or lease/rent of real estate, vehicles, precious metals, jewelry, or other items obtained with the proceeds of the sales of controlled substances.

K. Records, items, and documents reflecting travel for the purpose of participating in narcotics trafficking, including airline tickets, credit card receipts, travel vouchers, hotel and restaurant receipts, canceled checks, maps and written directions to locations.

L. Handguns, shotguns, rifles, explosives, and other firearms/incendiary devices and ammunition that may be used to facilitate the distribution or possession of, with the intent to distribute controlled substances.

M. Indicia of occupancy, residency, control, or ownership of the premises and things described in this warrant, such as utility bills, telephone bills, loan payment

receipts, rent documents, canceled envelopes and keys, photographs, and bank records.

N. All bulk marijuana located on the scene may be destroyed except for representative samples taken in accordance with normal DEA policy.

AO 93 (Rev. 12/03) Search Warrant

UNITED STATES DISTRICT COURT

Eastern District of California

In the Matter of the Search of
(Name, address or brief description of person or property to be searched)

9500 Yuba Ranch Way, Oregon House, California (Yuba APN#048-070-020); including any/all buildings, temporary structures discovered on this property that may contain items set forth in Attachmement B; All vehicles over which any owner, occupant, or resident of the premises has dominion and control, as determined by agent's observation.

SEARCH WARRANT

12 SW 645 KJN

Case Number:

TO: Brian Nehring and any Authorized Officer of the United States

Affidavit(s) having been made before me by DEA Special Agent (Affiant) who has reason to believe

that ☐ on the person of, or ☑ on the premises known as (name, description and/or location)

Please See ATTACHMENT A,

in the Eastern District of California there is now concealed a certain person or property, namely (describe the person or property)

Please See ATTACHMENT B, which is evidence of a crime, contraband, fruits of a crime, and other items illegally possessed in committing a crime, specifically, manufacture of marijuana and conspiracy to manufacuture marijuana, a Schedule I Controlled Substance, all in violation of 21 U.S.C. §§ 846 and 841(a)(1).

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before Oct 3 2012 (Date)

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search ☑ in the daytime — 6:00 AM to 10:00 P.M. ☐ at anytime in the day or night as I find reasonable cause has been established and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to

Kendall J. Newman (or duty MJ) as required by law.
U.S. Magistrate Judge (Rule 41(f)(4))

Sept 19, 2012 4:10 pm. at Sacramento, California
Date and Time Issued City and State

U.S. Magistrate Judge Kendall J. Newman
Name and Title of Judge

Signature of Judge

AO 93 (Rev. 12/03) Search Warrant (Reverse)

RETURN	Case Number:	
DATE WARRANT RECEIVED	DATE AND TIME WARRANT EXECUTED	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH
INVENTORY MADE IN THE PRESENCE OF		
INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT		

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

_____

Subscribed, sworn to, and returned before me this date.

_____ _____

Signature of Judge Date

Attachment A:
Description of Locations to be Searched

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